

Agenda
Regular Council Meeting
Monday, July 22, 2019
7:00 p.m.
Council Chambers
www.lackawannany.gov

Meeting Called to Order/Pledge of Allegiance.

NB: Meeting being recorded.

Roll Call: Council: Ingram, Schultz, Surdyke, Iafallo
Dept. Heads: Law, Development, Public Works, Public Safety, Comptroller, Recreation

Hearings from Citizens:

Approval of Minutes: of the regular meeting of June 17, 2019.

Departmental Reports:

1. **City Comptroller** – A/P Check Listing #48, dated June 13, 2019.
2. **City Comptroller** – A/P Check Listing #49, dated June 20, 2019.
3. **City Comptroller** – A/P Check Listing #50, dated June 25, 2019.
4. **City Comptroller** – A/P Check Listing #51, dated July 3, 2019.
5. **City Comptroller** – A/P Check Listing #52, dated July 14, 2019.
6. **City Clerk** – Monthly Revenue Report for June, 2019.
7. **City Treasurer** – Total Receipts Deposited into the General Fund Account for June, 2019.

Communications from the Council:

8. **Council Member John Ingram** – Requests the City Council approve a Complete Streets Pop-up Project on a Free Trial Basis. The Project would run from approximately August 1st to October 15, 2019, pending weather conditions. The Project will consist of:
 - * Crosswalk support and painting.
 - * Speed bumps for (main street) Wilmuth & the side streets around Taggart Playground (Odell, Olcott and Wilson).

Go Bike will support the entire project by supplying paints, forms, speed bumps and technical support issues.

Communications from Department/Division Heads:

9. **City Attorney** – Requests the City Council approve the attached lease agreement between the City of Lackawanna and Lackawanna Youth Diamond Sports, Inc. (LYDS) for use of the Van Wyck Baseball Complex through December 31, 2021.
10. **City Attorney** – At the request of the Director of Public Safety, requests the City Council approve the attached ordinance amending Chapter 165, False Alarms, of the City of Lackawanna Municipal Code.
 - (A) An ordinance amending Chapter 165, False Alarms, of the City of Lackawanna Municipal Code, specifically Section 165-11(E) – Penalties.
11. **City Attorney** – Requests the City Council approve the attached ordinances amending Chapter 84, Buildings, Demolition of, of the City of Lackawanna Municipal Code.
 - (A) An ordinance amending Chapter 84, Buildings, Demolition of, of the City of Lackawanna Municipal Code, specifically Section 84.1B (2) – Protect and preserve those structures of special historic, aesthetic, cultural or economic value, and assure future use of the site is not unreasonably impaired.

(B) An ordinance amending Chapter 84, Buildings, Demolition of, of the City of Lackawanna Municipal Code, specifically by adding paragraph E, sub-sections 1 through 8, paragraph F, sub-sections 1 & 2, paragraph G, sub-sections 1 through 3, and paragraph H, sub-sections 1 & 2.

12. **City Clerk** – Advises the City Council, pursuant to a Council directive on May 20, 1991, all tabled items over the ninety (90) day period and not acted upon, shall be deemed null and void and the Council shall receive and file said communications. The following communication has been tabled in excess of 90-days and is considered null and void and is hereby received and filed:

- Meeting of 04/01/19, Comm. #5 – Comptroller – Fire Department, Retired Personnel.

13. **City Comptroller** – Requests the City Council approve the attached budget amendment to increase revenue and increase expenditure for the Hometown Hero Banners.

(A) An ordinance amending the 2018-2019 Budget Ordinance adopted June 12, 2018 by increasing budget code A..2089 Other Cultural and Recreational Income by \$19,000.00 and increasing budget code A.7500.7550 Celebrations/Newsletter by \$19,000.00.

14. **City Comptroller** - Requests the City Council approve the attached budget amendment to transfer between the General Fund and the Capital Fund for funding of the purchase and future rehabilitation of the South Park City Hall.

(A) An ordinance amending the 2018-2019 Budget Ordinance adopted June 12, 2018 by adding \$2,500,000.00 to budget code A.9000.9550 Transfer to Other Fund – Capital, appropriating \$2,500,000.00 of the City's Fund Balance, adding \$2,500,000.00 to budget code H.2080.250 South Park City Hall, and increasing budget code H.0000.2545 Capital Fund Interfund Transfers by \$2,500,000.00.

15. **City Comptroller** - Requests the City Council approve the attached budget amendment to transfer between the General Fund and the Capital Fund for funding of the Veteran's Park Stadium Rehabilitation Project.

(A) An ordinance amending the 2018-2019 Budget Ordinance adopted June 12, 2018 by adding \$100,000.00 to budget code A.9000.9550 Transfer to Other Fund – Capital, appropriating \$100,000.00 of the City's Fund Balance, adding \$100,000.00 to budget code H.20180.255 Veterans Park Stadium Rehabilitation Project, and increasing budget code H.0000.2545 Capital Fund Interfund Transfers by \$100,000.00.

16. **Director of Recreation** – Requests the City Council approve Global Concepts Charter School to use Franklin/Center Playground for soccer practice for their upcoming fall soccer season. Global Concepts proof of insurance attached.

17. **City Assessor** – Requests the City Council approve the sale of two vacant properties located at 42 Love Terrace and 16 Joseph Court to Sunset Custom Homes Inc. in the amount of \$41,000.00. The lots will be used to build two new Single-Family Homes. The deed for the parcels shall contain a reverter clause for work to begin within 12 months from date of purchase.

(A) An ordinance authorizing the sale/transfer of property pursuant to City of Lackawanna Municipal Code Chapter 12. The sale includes two vacant properties located at 42 Love Terrace and 16 Joseph Court to Sunset Custom Homes Inc. in the amount of \$41,000.00. The deed shall include a reverter clause requiring that construction begin on each of the lots within 12 months from the transfer of title.

18. **City Assessor** – Requests the City Council approve the sale of vacant property located at 117 Center Street to L.H.D.C. in the amount of \$1,000.00 as part of the Erie County funding agreement. The lot will be used to build a new Single-Family Home. The deed for this parcel shall contain a reverter clause for work to begin within 12 months from date of purchase.

(A) An ordinance authorizing the sale/transfer of property pursuant to City of Lackawanna Municipal Code Chapter 12. The sale includes a vacant lot located at 117 Center Street to L.H.D.C. in the amount of \$1,000.00. The deed for this parcel shall include a reverter clause requiring that construction begin within 12 months from transfer of title.

19. **Fire Chief** – Requests the City Council approve the attached resolution authorizing him to submit an application to the New York State Emergency Services Loan Program in the amount of \$275,000.00, which is a change from the previous loan amount of \$375,000.00 that was approved by the City Council at the regular meeting of April 1, 2019.

(A) A resolution authorizing James J. Fino, Fire Chief of the City of Lackawanna, to submit an application to the New York State Emergency Services Loan Program in the amount of \$275,000.00. Furthermore, James J. Fino is authorized on behalf of the City of Lackawanna to execute all financial and/or administrative documents/processes relative to this program. Additionally, resolution #6, previously passed on April 1, 2019 is hereby rescinded.

Communications from Citizens:

20. **Christine Napierski, Resident** – Requests the City Council approve a one-day live band permit at her residence at 204 Millhurst Road on Saturday, August 17th between 6:00 p.m. and 11:00 p.m. This request is for an annual birthday/anniversary party.

21. **Darrell Glover Jr., President of L.A. Sports Club Inc.** – Requests the City Council approve reimbursement of \$6.00 per child for every Lackawanna resident that participated in their LA Sports Club Flag Football Showcase. The list of 76 participants is attached. (76 participants X \$6.00 each = \$456.00 total reimbursement)

22. **Edward S. Wojcik Jr., President of Sunset Custom Homes Inc.** – Requests the City Council approve his purchasing the remaining two lots in the Martin Road subdivision. The lots are 42 Love Terrace and 16 Joseph Court. A house will be built on each.

Business Registration:

Belal Ahmed, dba “Ace of Fades” (barber shop), 2703 South Park Avenue.

Nancy Brand, dba “Brand New You” (hair salon), 2741-B South Park Avenue.

Joseph DiChristina, dba “L City Restaurant & Drinkery” (full-service restaurant), 3167 South Park Avenue.

Annette Henderson, dba “H & R Block” (Tax Prep Services), 1222 Abbott Road

Tabled Items:

Communications from the Council II:

23. **Council President Iafallo** – Requests the City Council appoint and fill the vacated Third Ward Council seat, term to expire December 31, 2019.

(A) A resolution filling the vacancy for Council Member Third Ward as per Chapter 3, Section 3.2 of the Lackawanna City Charter. Term to expire December 31, 2019.

Adjournment:

Persons wishing to speak before the Council shall register at the table, providing their name, address, phone number and the subject they wish to address. Comments should be limited to three (3) minutes on agenda items only and questions should be directed to the presiding officer. To place an item on the agenda, persons shall submit their correspondence in letter form, **signed**, and forwarded to the City Clerk, via certified mail or in person, before 12:00 noon on the Wednesday before the scheduled Council meeting. The Council has final approval of all agenda items.

PLEASE TURN OFF YOUR CELLPHONES AND GENTLEMEN REMOVE YOUR HATS.